REMARKS

Claims 1-15 are currently active.

The Examiner has rejected Claims 1 and 9 as being obvious over Gorshe in view of Arsian. Applicant respectfully traverses this rejection in view of the amendments to the claims.

Referring to Gorshe, there is taught an interfacing device 5 performs the basic functions essential to carrying out the objectives of the invention taught by Gorshe. The interface device has a pair of input ports 10, 12, a pair of output ports 14, 16, and a pair of bi-directional ports 18, 20. The timing and synchronization aspects of the interface device are handled through the primary clock input 22, the primary frame pulse input 24, the reference clock output 26, and the reference frame pulse output 28. When the interface device is implemented in a receive path, data from a tributary units flow into one or both of the input ports 10, 12. The data may also flow into the interface device through one or both of the bi-directional ports 18, 20 and from neighboring interface devices with which it is cascaded. All data latched into the device by the input port data latches 30, 32 is made available to the time slot assignment portions of the device. The swap offers 38, 40 perform time slot assignment functions on the data which is presented to them by the latch is 34, 36. See column 6, lines 40-65.

When the device is implemented in a transmit path, data from the TSI units flow into one of both of the input ports 10, 12. All data latched into the device by the input port data latches 30, 32 is made available to the time slot assignment portions of the path. As with the receive path operation, the 4:1 selection data latches 34 and 36 functions to route any of the nine-bit wide input data rails to the swap buffers 38, 40, which perform time slot assignment functions on the data which is presented to them by the latches 34, 36. See column 7, lines 5-16. As is clear from the above description of the operation of the architecture taught by Gorshe, data rails are used to transfer the input data from the input port to an output port at the same rate.

Referring to Arsian, there is disclosed a flexible Sonet ring with integrated cross-connect system. Arsian teaches that with ring arrangements that employ either the standard DCS/ADM connections, or the integrated DCSs, the problem is the associated lack of flexibility in configuring the rings. See column 3, lines 60-64. Arsian teaches a flexible integrated DCS that allows any port that is connected to a line interface unit within the integrated DCS to be coupled within the integrated DCS–pursuant to software control provisioning–to any other port that is connected to a line interface unit within the integrated DCS. See column 4, lines 17-20.

Arsian teaches a flexible DCS comprises a cross-connect, a plurality of line interface units, a plurality of drop interface units, and a controller. A controller commands

the provisioning of the crossconnect, and the controllers that are associated with each of the interface units. The controller is responsible for communicating all necessary information between the line interface units that have been specified to belong to a given ring. See column 4, line 50-column 5, line 6.

Arsian teaches a Sonet network that employs the flexible DCSs. It comprises flexible DCSs. Each of the flexible DCSs comprises a switching fabric, a controller, a plurality of line interface units, and drop interface units. See column 5, lines 47-55.

Between the flexible DCSs, which are in different geographical locations, the network consists of fiber spans with one or more interposed ADMs. Arsian teaches that there are fiber spans that connect the flexible DCSs. Because selecting one line interface unit as the incoming port of a ring does not, in the flexible DCS, dictate the use of a particular line interface unit for the outgoing port of the ring, a network administrator has substantial flexibility in establishing ranks. See column 5, line 65-column 6, line 12.

The above teachings of Arsian are found under the detailed description section of Arsian. In the detailed description, there is no teaching or suggestion whatsoever, and in fact is silent regarding input port cards and the data rates that they receive.

On page 4 of the Office Action, the Examiner refers to column 1, lines 23-61 of Arsian as support for this teaching that supposedly meets the corresponding limitation in Claim 1. Referring to column 1, lines 23-61, Arsian teaches the SONET DCS has a switch fabric that is responsive to a controller, and line interface units that are coupled to the switch. Each interface unit contains one or more external system transmission interfaces that can handle different data rates. Functionally, the DCS is used to multiplex and groom payloads across the different SONET line rates. The DCS can connect traffic between rings, and manage complicated connections in the office by being a central point that connects SONET ADMs and different rings and that couples other equipment to the network.

It is respectfully submitted that patent law requires the specific teachings the Examiner is relying upon, to be applied in the context in which they are found. In DCS, the different line rates are taught to be found in regard to standard DCS and has nothing at all to do with the additional limitation found in Claim 1 of a port card that performs parity calculations and produces parity data. The Examiner seems to suggest that one skilled in the art would take the teachings the Examiner is relying upon in Arsian, and not only apply it to the teachings of Gorshe where it would replace the data rails that are used to transfer input data from the input port to the upper port at the same rate, but also somehow or other also be redesigned in regard to the parity calculations and parity data. There is nothing to suggest that this would be obvious let alone can be easily accomplished without significant research and development.

In fact, a review of Gorshe shows that the parity fabrics that the Examiner relies upon as elements 30 and 32 of figure 1 of Gorshe, (as the Examiner states on page 2, last paragraph are in fact input port data latches) and do not seem to be port cards at all. Moreover, if applicant understands what the Examiner is suggesting, then if the parity elements are part of the port cards, then there is no parity fabric separate and distinct from the first port card and the second port card, which separately perform parity calculations and produce parity data, as taught in Gorshe. That is, Gorshe (and Arsian) fail to teach or suggest "the first port card connected to the connection mechanism to send data to or receive the data from the fabric at a connection rate and to send the first parity data to or receive the data from the parity fabric at the connection rate" because, as the Examiner argues, Gorshe has the port cards performing the parity checker, but there is no parity fabric. Accordingly, it is respectfully submitted that Claims 1 and 9 are patentable over the applied art of record. The Examiner has indicated that Claims 2-8 and 10-15 are objected to but would be allowable if rewritten in independent form with all the limitations of their base claim and any intervening claims.

In view of the foregoing remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 1-15, now in this application be allowed.

Respectfully submitted,

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